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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,029	09/11/2003	Wen-Hua Lin	LA-7196-128	5809

167   7590   04/11/2007
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EXAMINER
DENG, ANNA CHEN

ART UNIT	PAPER NUMBER
2191	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/11/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/11/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

LAIPDOCKET@FULBRIGHT.COM
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PTOL-90A (Rev. 10/06)

		Application No.	Applicant(s)
Office Action Summary		10/660,029	LIN, WEN-HUA
		Examiner	Art Unit	
		Anna Deng	2191	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>31 January 2007</u>.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1 and 4</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1 and 4</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is in response to amendment filed on 1/31/2007.

2.   The Specification has been amended.

3.   Claims 1 and 4 have been amended.

4.   Claims 2-3, and 5-6 have been canceled.

5.   The objection to Specification is withdrawn in view of applicant's amendment.

6.   The rejection under 35 U.S.C. 112 second paragraph to claims 2-3, and 5-6 is withdrawn in view

of applicant's amendment.

7.   Claims 1 and 4 are pending.

8.   Claims 1 and 4 stand finally rejected under 35 U.S.C. 103 (a) as being unpatentable over Fresko

et al. US 2003/0009743 A1, in view of Chappell et al. US 2004/0059703 A1.

Response to Amendment

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

10.   Claim 1 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fresko et al. US

2003/0009743 A1 (hereinafter Fresko), in view of Chappell et al. US 2004/0059703 A1 (hereinafter

Chappell).

Per Claim 1 (Currently amended):

        Fresko teaches an embedded system program code reduction method for scaling down a virtual

machine and a set of application programs running on the virtual machine that are to be burned into an

embedded system, wherein the virtual machine includes an object library, a complier, and a runtime

environment (Fresko, FIG. 1, paragraph 0020); the embedded system program code reduction method (Fresko, paragraphs 0028) comprising: a compilation procedure for compiling the source code of each application program into bytecode (Fresko, FIG. 1, Java Compiler 106, ".class" class Files (byte codes) 107, paragraph 0020, lines 10 – 15); Fresko does not explicitly teach an object picking procedure for picking from the object library essential objects that are required for use by the application programs during runtime and collectively packing all picked objects into an essential-objects package; a compression procedure for compressing the essential-objects package into a compressed file of essential objects; and a code integration procedure for integrating each bytecode-based application program, the compressed file of essential, and the runtime environment from the virtual machine into a set of embedded system program code which is to be burned into the embedded system. However, Chappell teaches an object picking procedure for picking from the object library essential objects that are required for use by the application programs during runtime and collectively packing all picked objects into an essential-objects package (Chappell, FIG. 1, paragraph 0035, "though they generate a single compressed file package which stores everything that the targeted software application requires", also, see paragraph 0036); a compression procedure for compressing the essential-objects package into a compressed file of essential objects (Chappell, paragraph 0047, "packages are used to keep all aspects of a product in one manageable file. Similar to a .tgz, this one file is a compressed version of all of the files that make up a given software product", paragraph 0055, "The QPK file is referred to as the Package File", and is a compressed .tgz file containing the files to be installed"); and a code integration procedure for integrating each bytecode-based application program, the compressed file of essential objects (Chappell, paragraphs 0049-0051, "The Packager is used to generate software packages"), and the runtime environment from the virtual machine into a set of embedded system program code which is to be burned into the embedded system (Chappell, paragraph 00147, "the ELF integration of executable files and looking for NEEDED flags, which indicate other libraries which must be installed (for the same processor as the file itself) in order that the executable can run").

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the method disclosed by Fresko to include "an object picking procedure for picking

from the object library essential objects that are required for use by the application programs during

runtime and collectively packing all picked objects into an essential-objects package; a compression

procedure for compressing the essential-objects package into a compressed file of essential objects; and

a code integration procedure for integrating each bytecode-based application program, the compressed

file of essential, and the runtime environment from the virtual machine into a set of embedded system

program code which is to be burned into the embedded system" using the teaching of Chappell. The

modification would be obvious because one of ordinary skill in the art would be motivated to improve

system and method of installing computer files and applications for computer networks and devices.

Per Claim 4 (Currently amended):

This is the system version of the claimed method discussed above (claim 1), wherein all claim

limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly,

this claim is also obvious.

Response to Arguments

11.   Applicant's arguments with respect to claims 1 and 4 have been considered but are moot in view

of the new ground(s) of rejection.

Conclusion

12.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth

in 37 CFR 1.136 (a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from

the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date

of this final action and the advisory action is not mailed until after the end of the THREE-MONTH

shortened statutory period, then the shortened statutory period will expire on the date the advisory action

is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX

MONTHS from the mailing date of this final action.

13.   Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Anna Deng whose telephone number is 571-272-5989. The examiner can normally be

reached on Monday to Friday 9:30 AM - 6:00 PM.

    If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei

Zhen can be reached on 571-272-3708. The fax phone number for the organization where this

application or proceeding is assigned is 571-273-8300.

    Any inquiry of a general nature or relating to the status of this application or proceeding should be

directed to the TC2100 Group receptionist whose telephone number is 571-272-2100.

    Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC)

at 866-217-9197 (toll-free).

Anna Deng   *A. A.*

March 30, 2007

SUPERVISORY WEI ZHEN
PATENT EXAMINER